



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

LCC:ddj
Docket No: 1424-99
18 April 2000

[REDACTED]

Dear [REDACTED]:

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 18 April 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by CMC memorandum 1400/3 MMRP-2 of 4 April 2000, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
MANPOWER AND RESERVE AFFAIRS DEPARTMENT
HARRY LEE HALL, 17 LEJEUNE ROAD
QUANTICO, VIRGINIA 22134-5104

IN REPLY REFER TO:
1400/3
MMPR-2
4 Apr 00

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS


Subj: ADVISORY OPINION IN THE CASE OF MASTER SERGEANT [REDACTED]

Ref: (a) DD Form 149 of 18 Feb 99

1. In reference (a), retired Master Sergeant [REDACTED] requests review of his military service records to see whether he was eligible for promotion to master sergeant in 1973 or 1974. He states that he was under an investigation which placed him in what he refers to as a "suspense mode" for two years, which he believes prevented his consideration for promotion during that period. His current master sergeant date of rank is 1 October 1975.

2. After extensive research of our records, we found that Master Sergeant [REDACTED] was considered for promotion to master sergeant by the 1976 Sergeant Major through Master Sergeant Selection and Review Board in the Promotion Zone (PZ) in Occupational Field (OCC) (33) and was selected to master sergeant. He was given a date of rank of 1 October 1975. In addition, he was considered for promotion by the 1975 Sergeant Major through Master Sergeant Selection and Review Board in the Eligibility Zone (EZ) in OCC Field (33) and failed selection. Master Sergeant [REDACTED] was not eligible for promotion consideration by the 1972, 1973, and 1974 Sergeant Major through Master Sergeant Selection Boards because his Gunnery Sergeant date of rank (710301) made him ineligible for promotion consideration. Master Sergeant [REDACTED] date of rank for his promotion to master sergeant is correct as 1 October 1975.

3. Finally, we found no evidence in Master Sergeant [REDACTED]'s record to substantiate his claim that he had been suspended from promotion consideration for any reason. We recommend that no relief be granted.


A. J. VAN STEENBERGEN
Head, Enlisted Promotions
Promotion Branch
By direction of
The Commandant of the Marine Corps